

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| | | |
|-----------------------|---|------------------------------|
| JENNIFER ANN FEDOREK, |) | |
| |) | |
| Plaintiff |) | |
| |) | |
| v. |) | |
| |) | Civil Action No. 05-186 Erie |
| RONALD SNYDER and |) | |
| KEOKE CRAFT |) | |
| |) | |
| Defendants |) | |
| |) | Jury Trial Demanded |

ANSWER TO AMENDED COMPLAINT

Defendant Keokee L. Craft respectfully submits the following Answer to Amended Complaint in response to the amended complaints filed by plaintiff Jennifer Ann Fedorek on March 30, 2006 and May 2, 2006.

First Defense

I. Denied that plaintiff is now confined at the State Correctional Institution at Cambridge Springs, Pennsylvania. The remainder of these averments are admitted.

II. – III. Denied.

IV. Admitted that force was used by defendant on plaintiff on May 14, 2005 while plaintiff was an inmate at the Venango County, Pennsylvania Prison, that she was seen by a physician following that incident, that the incident was investigated by the Sheriff's Department of Venango County, that plaintiff filed a grievance concerning the incident and that bruises were observed on plaintiff's wrists and right arm. The remainder of these averments are denied.

V. Admitted that plaintiff presented a grievance in the Venango County Prison grievance procedure, but denied that she exhausted that procedure.

VI. Admitted that plaintiff claims entitlement to monetary damages. Denied that she is entitled to an award of such damages.

Second Defense

Defendant acted in good faith in an effort to maintain or restore discipline in response to a reasonably perceived threat to corrections officials presented by plaintiff's actions, the force used by her being necessary and reasonable to properly address the needs of the situation.

Third Defense

Plaintiff failed to exhaust the administrative remedies made available to her at the Venango County Prison, precluding the assertion of this action pursuant to 42 U.S.C. §1997e(a).

WHEREFORE, defendant Keokee L. Craft respectfully requests that judgment be entered in her favor and against plaintiff Jennifer Ann Fedorek.

Respectfully submitted,

/s/ James T. Marnen

James T. Marnen

PA ID No. 15858

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Attorney for Defendants,
Ronald Snyder and Keokee Craft

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CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2006 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will not send notification of such filing to the other party in this action, pro se plaintiff Jennifer Ann Fedorek, and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participant: pro se plaintiff Jennifer Ann Fedorek.

/s/ James T. Marnen

James T. Marnen